

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1369.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF DRIED APPLES.

On August 23, 1911, the United States Attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of four bags of dried apples in second-hand sacks in the possession of R. S. Jackson & Co. in the city of Baltimore. The product was labeled: "R. S. Jackson & Co.—Chestnuts—113 S. Charles St., Baltimore, Md."

Examination of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed 35 worms and one beetle in a sample of 330 grams, and that the product was worm-eaten and covered with excreta. The libel alleged that the product, after transportation from the State of Virginia into the State of Maryland, remained in the original unbroken packages, and was adulterated in violation of the Food and Drugs Act of June 30, 1906, because it consisted in part of a filthy animal or vegetable substance, to wit, flies, worm excreta, and worm-eaten apples, and was, therefore, liable to seizure for confiscation.

On October 23, 1911, the case coming on for hearing and no one having appeared as claimant, or filed answer, the court found the product adulterated, as alleged in the libel, and entered a decree condemning and forfeiting it to the United States and ordering its complete destruction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 31, 1912.*